

4708

1 BILL NO. Z-79-11- 50

2 ZONING MAP ORDINANCE NO. Z- 09-80

3 AN ORDINANCE amending the City of
Fort Wayne Zoning Map No. J-34.

4 BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF FORT WAYNE,
5 INDIANA:

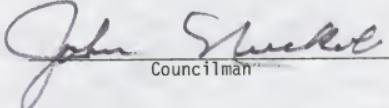
6 SECTION 1. That the area described as follows is hereby design-
7 nated a M-1 District under the terms of Chapter 33, Municipal Code of the
8 City of Fort Wayne, Indiana, 1974; and the symbols of the City of Fort
9 Wayne Zoning Map No. J-34, referred to therein, established by Section 33-11,
10 of said Chapter are hereby changed accordingly, to wit:

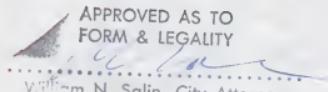
11 That part of the Northwest Quarter of Section 22 in
12 Township 31 North of Range 12 East in Allen County,
13 State of Indiana, containing 51.5 acres, more or
less, lying North of the North right-of-way line of
Interstate Highway Number 69, and East of the follow-
ing described real estate:

14 That portion of the North Half of the Northwest Quarter
15 of Section 22, Township 31 North, Range 12 East, in
16 Allen County, State of Indiana, lying East of the
right-of-way of the Indiana Service Company, now the
17 Indiana-Michigan Electric Company, described as
follows, to-wit:

18 Commencing at the point of intersection of the East line
19 of said right-of-way with the North line of said Quarter
Section, thence running East on the aforementioned line
396 feet; thence South and parallel to the right-of-way
line aforesaid a distance of 1021.4 feet to the North
right-of-way line of Interstate Highway Number 69; thence
West along the North right-of-way line of said Interstate
Highway Number 69 a distance of 396 feet to the intersection
thereof with the East right-of-way line of the Indiana-
Michigan Electric Company; thence North on the said East
right-of-way line a distance of 1020.3 feet to the place
of beginning.

20 SECTION 2. That this Ordinance shall be in full force and effect
21 from and after its passage, approval by the Mayor and legal publication
22 thereof.

23 
John Shuckel
24 Councilman

25 APPROVED AS TO
26 FORM & LEGALITY
27 

28 William N. Salin, City Attorney

Read the first time in full and on motion by _____, seconded by _____, and duly adopted, read the second time by title and referred to the Committee _____ (and the City Plan Commission for recommendation) and Public Hearing to be held after due legal notice, at the Council Chambers, City-County Building, Fort Wayne, Indiana, on _____, the _____ day of _____, 19_____, at _____ o'clock M., E.S.T.

DATE: _____

CHARLES W. WESTERMAN
CITY CLERK

Read the third time, in full and on motion by _____, seconded by Luev, and duly adopted, placed on its passage. PASSED (LOST) by the following vote:

	AYES	NAYS	ABSTAINED	ABSENT	TO-WIT:
<u>TOTAL VOTES</u>	<u>8</u>	_____	_____	<u>1</u>	_____
<u>BURNS</u>	<u>X</u>	_____	_____	_____	_____
<u>EISBART</u>	<u>X</u>	_____	_____	_____	_____
<u>GiaQUINTA</u>	<u>X</u>	_____	_____	_____	_____
<u>NUCKOLS</u>	<u>X</u>	_____	_____	_____	_____
<u>SCHMIDT, D.</u>	<u>X</u>	_____	_____	_____	_____
<u>SCHMIDT, V.</u>	<u>X</u>	_____	_____	_____	_____
<u>SCHOMBURG</u>	<u>X</u>	_____	_____	_____	_____
<u>STIER</u>	<u>X</u>	_____	_____	_____	_____
<u>TALARICO</u>	_____	_____	_____	<u>1</u>	_____

DATE: 1-22-80

CHARLES W. WESTERMAN - CITY CLERK

Passed and adopted by the Common Council of the City of Fort Wayne, Indiana, as (ZONING MAP) (GENERAL) (ANNEXATION) (SPECIAL)
(APPROPRIATION) ORDINANCE (RESOLUTION) No. 3-09-80
on the 22nd day of January, 1980.

Charles W. Westerman ATTEST:
CHARLES W. WESTERMAN - CITY CLERK

(SEAL)

Vivian G. Schmidt
PRESIDING OFFICER

Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the 23rd day of January, 1980, at the hour of 11:30 o'clock A.M., E.S.T.

Charles W. Westerman
CHARLES W. WESTERMAN - CITY CLERK

Approved and signed by me this 23rd day of Jan., 1980, at the hour of 3 o'clock P.M., E.S.T.

Winfield C. Moses, Jr.
WINFIELD C. MOSES, JR.
MAYOR

Read the first time in full and on motion by Nuckols, seconded by Zalvios, and duly adopted, read the second time by title and referred to the Committee on Regulations (and the City Plan Commission for recommendation) and Public Hearing to be held after due legal notice, at the Council Chambers, City-County Building, Fort Wayne, Indiana, on _____, the _____ day of _____, 19____, at _____ o'clock _____ M., E.S.T.

DATE: 11-27-79

Charles W. Whetstone Jr.
CITY CLERK

Read the third time in full and on motion by _____, seconded by _____, and duly adopted, placed on its passage.

PASSED (LOST) by the following vote:

	<u>AYES</u>	<u>NAYS</u>	<u>ABSTAINED</u>	<u>ABSENT</u>	<u>TO-WIT:</u>
<u>TOTAL VOTES</u>	_____	_____	_____	_____	_____
<u>BURNS</u>	_____	_____	_____	_____	_____
<u>HINGA</u>	_____	_____	_____	_____	_____
<u>HUNTER</u>	_____	_____	_____	_____	_____
<u>MOSES</u>	_____	_____	_____	_____	_____
<u>NUCKOLS</u>	_____	_____	_____	_____	_____
<u>SCHMIDT, D.</u>	_____	_____	_____	_____	_____
<u>SCHMIDT, V.</u>	_____	_____	_____	_____	_____
<u>STIER</u>	_____	_____	_____	_____	_____
<u>TALARICO</u>	_____	_____	_____	_____	_____

DATE: _____

CITY CLERK

Passed and adopted by the Common Council of the City of Fort Wayne, Indiana, as
(ZONING MAP) (GENERAL) (ANNEXATION) (SPECIAL) (APPROPRIATION) ORDINANCE
(RESOLUTION) No. _____ on the _____ day of _____, 19____.
ATTEST: (SEAL)

CITY CLERK

PRESIDING OFFICER

Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the _____
day of _____, 19____, at the hour of _____ o'clock _____ M., E.S.T.

CITY CLERK

Approved and signed by me this _____ day of _____, 19____,
at the hour of _____ o'clock _____ M., E.S.T.

MAYOR

BILL NO. Z-79-11-50

REPORT OF THE COMMITTEE ON REGULATIONS

WE, YOUR COMMITTEE ON REGULATIONS TO WHOM WAS REFERRED AN
ORDINANCE amending the City of Fort Wayne Zoning Map No. J-34

HAVE HAD SAID ORDINANCE UNDER CONSIDERATION AND BEG LEAVE TO REPORT
BACK TO THE COMMON COUNCIL THAT SAID ORDINANCE DO PASS.

BEN EISBART - CHAIRMAN

JOHN NUCKOLS, VICE CHAIRMAN

JAMES S. STIER

SAMUEL J. TALARICO

DONALD J. SCHMIDT

1-22-80 CONCURRED IN
DATE CHARLES H. WILSTROM, CITY CLERK

RESOLUTION OF ZONING ORDINANCE AMENDMENT RECOMMENDATION

WHEREAS, the Common Council of the City of Fort Wayne, Indiana, on November 27, 1979 referred a proposed zoning map amendment to the City Plan Commission which proposed ordinance was designated as Bill No. Z-79-11-50; and,

WHEREAS, the required notice of public hearing on such proposed ordinance has been published as required by law; and,

WHEREAS, the City Plan Commission conducted a public hearing on such proposed ordinance on December 10, 1979;

NOW THEREFORE, BE IT RESOLVED that the City Plan Commission does hereby recommend that such proposed ordinance DO PASS for the reasons that a need has been shown for the Land Use Plan to be amended, the amendment will be in the best interest of and benefit to the area involved and of and to the City, and the amendment will not be detrimental to and does not conflict with the overall City Plan;

BE IT FURTHER RESOLVED that the Secretary is hereby directed to present a copy of this resolution to the Common Council at its next regular meeting.

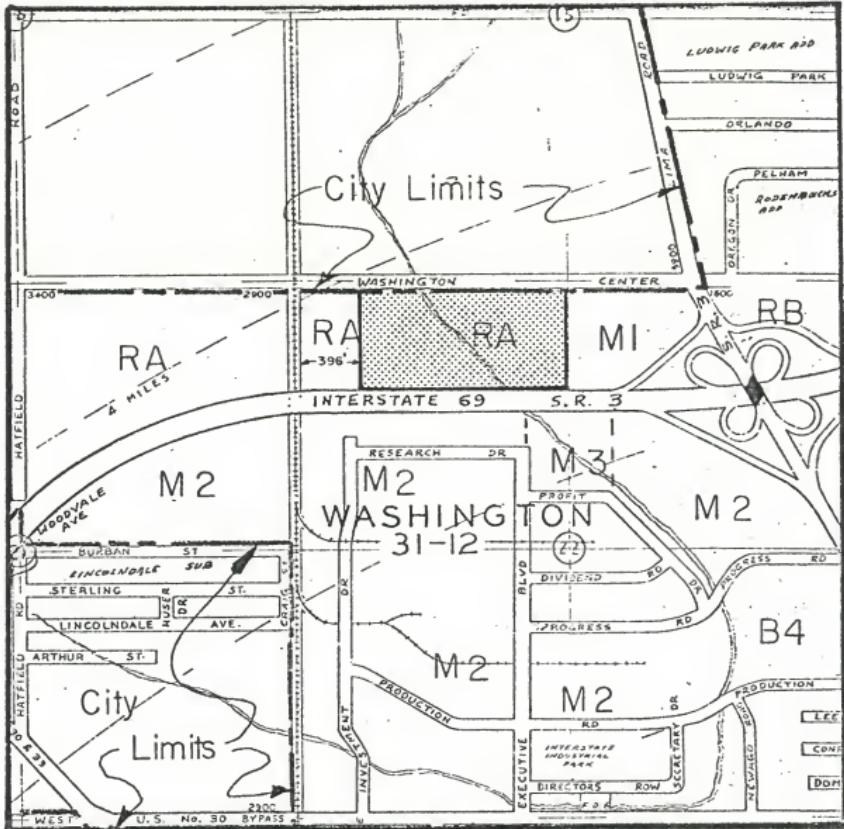
This is to certify that the above is a true and exact copy of a resolution adopted at the meeting of the Fort Wayne City Plan Commission held December 17, 1979.

Certified and signed this
28th day of December 1979.

Thomas G. Adams

Thomas G. Adams
Secretary

RECEIPT		Date <u>10/31</u>	19 <u>79</u>	No. <u>10877</u>
Received From <u>J.B. Knobley Co. Inc.</u>				
Address <u>150 Lincoln Bank Annex</u>				
For <u>Schlotter Hardware</u>		<u>0/00</u> Dollars \$ <u>50.00</u>		
ACCOUNT		HOW PAID		
AMT. OF ACCOUNT		CASH		
AMT. PAID		CHECK	<u>✓</u>	
BALANCE DUE		MONEY ORDER	By <u>JAB</u>	



CHANGE FROM RA TO M-1

Map No. J-34

Z-79-11-50



PETITION FOR ZONING ORDINANCE AMENDMENT

RECEIPT NO. _____

DATE FILED _____

INTENDED USE _____

X/I/We _____ SCHLATTER HARDWARE, INC.
(Applicant's Name or Names)

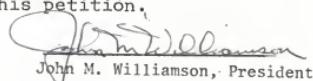
do hereby petition your Honorable Body to amend the Zoning Map of Fort Wayne Indiana, by reclassifying from X/an R-A District to X/an M-1 District the property described as follows:

That part of the Northwest Quarter of Section 22 in Township 31 North of Range 12 East in Allen County, State of Indiana, containing 51.5 acres, more or less, lying North of the North right-of-way line of Interstate Highway Number 69, and East of the following described real estate: That portion of the North Half of the Northwest Quarter of Section 22, Township 31 North, Range 12 East, in Allen County, State of Indiana, lying East of the right-of-way of the Indiana Service Company, now the Indiana-Michigan Electric Company, described as (cont'd) (Legal Description) If additional space is needed, use reverse side.

(General Description for Planning Staff Use Only)

I/We, the undersigned, certify that I am/We are the owner(s) of fifty-one percentum (51%) or more of the property described in this petition.

SCHLATTER HARDWARE, INC. P.O.Box 89, Fort Wayne, IN
46801


John M. Williamson, President

(Name)

(Address)

(Signature)

(If additional space is needed, use reverse side.)

Legal Description checked by _____

NOTE FOLLOWING RULES

All requests for deferrals, continuances, withdrawals, or request that the ordinance be taken under advisement shall be filed in writing and be submitted to the City Plan Commission prior to the legal notice pertaining to the ordinance being sent to the newspaper for legal publication. If the request for deferral, continuance or request that ordinances be taken under advisement is received prior to the publication of the legal ad being published the head of the Plan Commission staff shall not put the matter on the agenda for the meeting at which it was to be considered. The Plan Commission staff will not accept request from petitioners for deferrals, continuances, withdrawals, or requests that an ordinance be taken under advisement, after the legal notice of said ordinance is forwarded to the newspaper for legal publication but shall schedule the matter for hearing before the City Plan Commission. (FILING FEE \$50.00)

Name and address of the preparer, attorney or agent.

Harold R. McClain

(Name)

P.O.Box 89, Fort Wayne, IN 46801

(Address & Zip Code)

484-4161

(Telephone Number)

COMMUNITY DEVELOPMENT AND PLANNING / Division of Long Range Planning & Zoning and (CITY PLAN COMMISSION) / Room #830, City-County Building, One Main Street, Fort Wayne, IN 46802 (PHONE: 219/423-7571)

Applicants, Property owners and preparer shall be notified of the Public Hearing approximately ten (10) days prior to the meeting.

egal Description of property to be rezoned.
follows, to-wit: Commencing at the point of intersection of the East line of said right-of-way with the North line of said Quarter Section, thence running East on the aforementioned line 396 feet; thence South and parallel to the right-of-way line aforesaid a distance of 1021.4 feet to the North right-of-way line of Interstate Highway Number 69; thence West along the North right-of-way line of said Interstate Highway Number 69 a distance of 396 feet to the intersection thereof with the East right-of-way line of the Indiana-Michigan Electric Company; thence North on the said East right-of-way line a distance of 1020.3 feet to the place of beginning.

Owners of Property

(Name)

(Address)

(Signature)

NOTE: All checks are to be made payable to: CITY OF FORT WAYNE
This form is to be filed in duplicate.

4708

DIGEST SHEET

Admin. Appr.

TITLE OF ORDINANCE Zoning Ordinance Amendment

3-79-11-50

DEPARTMENT REQUESTING ORDINANCE Long Range Planning & Zoning - CD&P

SYNOPSIS OF ORDINANCE A parcel of land containing 51.5 acres, more or less,
lying North of the North right-of-way line of Interstate Highway #69, South of the
South right-of-way line of Washington Center Road, 456 feet east of the G.R.81.
Railroad and 1,060 feet west of State Road #3.

EFFECT OF PASSAGE Property is now zoned RA - Suburban Residential. Property
will become M1 - Light Industrial.

EFFECT OF NON-PASSAGE Property will remain RA - Suburban Residential.

MONEY INVOLVED (Direct Costs, Expenditures, Savings) _____

ASSIGNED TO COMMITTEE (J.N.) _____



OFFICE OF THE CITY CLERK

THE CITY OF FORT WAYNE

CITY-COUNTY BUILDING • ONE MAIN STREET • FORT WAYNE, INDIANA 46802

charles w. westerman, clerk -- room 122

January 24, 1980

Ms. Virginia Grace
Fort Wayne Newspapers, Inc.
600 West Main Street
Fort Wayne, IN 46802

Dear Ms. Grace:

Please give the attached full coverage on the dates of January 29, 1980 and February 5, 1980, in both the News Sentinel and Journal Gazette.

RE: Legal Notice for Common Council
of Fort Wayne, Indiana

Zoning Map Ordinance:^{re}

Bill No. Z-79-11-13
Zoning Map Ordinance No. Z-04-80

Bill No. Z-79-11-16
Zoning Map Ordinance No. Z-05-80

Bill No. Z-79-11-17
Zoning Map Ordinance No. Z-06-80

Bill No. Z-79-11-18
Zoning Map Ordinance No. Z-07-80

Bill No. Z-79-11-19
Zoning Map Ordinance No. Z-08-80

Bill No. Z-79-11-50
Zoning Map Ordinance No. Z-09-80

Please send us 21 copies of the Publisher's Affidavit from both newspapers.

Thank you.

Sincerely,
Charles W. Westerman
Charles W. Westerman
City Clerk

CWW/ne
Encl: 1

AN EQUAL OPPORTUNITY EMPLOYER

LEGAL NOTICE

Notice is hereby given that on the 22nd day of January, 1980, the Common Council of the City of Fort Wayne, Indiana in a Regular Session did pass the following Bill No. Z-79-11-13 -- Zoning Map Ordinance No. Z-04-80, being AN ORDINANCE amending the City of Fort Wayne Zoning Map No. I-2

Notice is hereby given that on the 22nd day of January, 1980, the Common Council of the City of Fort Wayne, Indiana in a Regular Session, did pass the following Bill No. Z-79-11-16 -- Zoning Map Ordinance No. Z-05-80, being AN ORDINANCE amending the City of Fort Wayne Zoning Map No. N-46

Notice is hereby given that on the 22nd day of January, 1980, the Common Council of the City of Fort Wayne, Indiana in a Regular Session did pass the following Bill No. Z-79-11-17 -- Zoning Map Ordinance No. Z-06-80, being AN ORDINANCE amending the City of Fort Wayne Zoning Map No. N-46

Notice is hereby given that on the 22nd day of January, 1980, the Common Council of the City of Fort Wayne, Indiana in a Regular Session did pass the following Bill No. Z-79-11-18 -- Zoning Map Ordinance No. Z-07-80, being AN ORDINANCE amending the City of Fort Wayne Zoning Map No. N-46

Notice is hereby given that on the 22nd day of January, 1980, the Common Council of the City of Fort Wayne, Indiana in a Regular Session did pass the following Bill No. Z-79-11-19 -- Zoning Map Ordinance No. Z-08-80, being AN ORDINANCE amending the City of Fort Wayne Zoning Map No. N-46

Notice is hereby given that on the 22nd day of January, 1980, the Common Council of the City of Fort Wayne, Indiana in a Regular Session did pass the following Bill No. Z-79-11-50 -- Zoning Map Ordinance No. Z-09-80, being AN ORDINANCE amending the City of Fort Wayne Zoning Map No. J-34

I, Charles W. Westerman, Clerk of the City of Fort Wayne, Indiana, do hereby certify that Bill No. Z-79-11-13 -- Zoning Map No. Z-04-80; Bill No. Z-79-11-16 -- Zoning Map Ordinance No. Z-05-80; Bill No. Z-79-11-17 -- Zoning Map Ordinance No. Z-06-80; Bill No. Z-79-11-18 -- Zoning Map No. Z-07-80; Bill No. Z-79-11-50 -- Zoning Map Ordinance No. Z-09-80, were passed by the Common Council on the 22nd day of January, 1980, and said Ordinances were duly signed and approved by the Mayor on the 23rd day of January, 1980, and now remains on file and on record in my office.

Copies of said Bill No. Z-79-11-13 -- Zoning Map No. Z-04-80; Bill No. Z-79-11-16 -- Zoning Map Ordinance No. Z-05-80; Bill No. Z-79-11-17 -- Zoning Map Ordinance No. Z-06-80; Bill No. Z-79-11-18 -- Zoning Map No. Z-07-80; Bill No. Z-79-11-19 -- Zoning Map Ordinance No. Z-08-80; Bill No. Z-79-11-50 -- Zoning Map Ordinance No. Z-09-80, will be posted in the following places in Fort Wayne, Allen County, Indiana

- (1) The main floor lobby of the City-County Building
- (2) The bulletin board in the lobby of the Downtown Fort Wayne Public Library
- (3) The bulletin board in the lobby at the East door of the Allen County Court House

Copies of said Bill No. Z-79-11-13 -- Zoning Map No. Z-04-80; Bill No. Z-79-11-16 -- Zoning Map Ordinance No. Z-05-80; Bill No. Z-79-11-17 -- Zoning Map Ordinance No. Z-06-80; Bill No. Z-79-11-18 -- Zoning Map No. Z-07-80; Bill No. Z-79-11-19 -- Zoning Map Ordinance No. Z-08-80; Bill No. Z-79-11-50 -- Zoning Map Ordinance No. Z-09-80, will be available for reading in the following places in Fort Wayne, Allen County, Indiana.

- (1) Reference Room in the north end of the main floor in said Downtown Public Library
- (2) The Journal of the Common Council Proceedings in the Office of the City Clerk of Fort Wayne, Indiana, Room 122, City-County Building, Fort Wayne, Indiana

Charles W. Westerman
Charles W. Westerman
City Clerk

I, Charles W. Westerman, Clerk of the City of Fort Wayne, Indiana, fulfilled and posted the above ordinances in the designated places as stated above on January 29, 1980.

Charles W. Westerman
Charles W. Westerman
City Clerk

Fort Wayne Common Council
(Governmental Unit)

Allen County, Ind.

To..... **NEWS-SENTINEL** Dr.

FORT WAYNE, INDIANA

PUBLISHER'S CLAIM

LINE COUNT

Display Matter (Must not exceed two actual lines, neither of which shall total more than four solid lines of the type in which the body of the advertisement is set) – number of equivalent lines _____

Head	number of lines	_____
Body	number of lines	119
Tail	number of lines	2
Total number of lines in notice		121

COMPUTATION OF CHARGES

121 lines, 1 columns wide equals 121 equivalent lines at .253¢	\$ 30.61
cents per line	

Additional charge for notices containing rule or tabular work (50 per cent of above amount) _____

Charge for extra proofs of publication (50 cents for each proof in excess of two) 19 extra	9.50
---------------------------------------------------------------------------------------------------	-------------

TOTAL AMOUNT OF CLAIM.	\$ 40.11
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DATA FOR COMPUTING COST

Width of single column 9.6 picas	Size of type..... 6 point
Number of insertions 2	Size of quad upon which type is cast 6

Pursuant to the provision and penalties of Ch. 89., Acts 1967.

I hereby certify that the foregoing account is just and correct, that the amount claimed is legally due, after allowing all just credits, and that no part of the same has been paid.

Date **Feb. 5**, 19 **80**

Title..... **CLERK**



PUBLISHER'S AFFIDAVIT

State of Indiana
ALLEN County SS:

Personally appeared before me, a notary public in and for said county and state, the undersigned..... **D. Roose** who, being duly sworn, says that she is..... **CLERK** _____ of the

NEWS-SENTINEL

a..... **DAILY** newspaper of general circulation printed and published in the English language in the city of **FORT WAYNE, INDIANA**

in state and county aforesaid, and that the printed matter attached hereto is a true copy, which was duly published in said paper for **two times** the dates of publication being as follows:

1/29 - 2/5/80

Subscribed and sworn to before me this **5** th day of **February** **80**

Harry _____
Notary Public

My commission expires **September 28, 1983**

Notice is hereby given that on the 22nd day of January, 1980, the Common Council of the City of Fort Wayne, Indiana, in its regular session, did pass the following Bill No. 2-79-11-13: Zoning Map Ordinance No. 2-79-13, amending the Old Fort Wayne Zoning Map No. I-2.
Notice is hereby given that on the 22nd day of January, 1980, the Common Council of the City of Fort Wayne, Indiana, in its regular session,